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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,913	05/23/2001	Hans A. Lichtfuss	10004915-1	1626

7590 05/07/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/863,913

Applicant(s)

LICHTFUSS, HANS A.

Examiner

Jin-Cheng Wang

Art Unit

2672

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-3, 5-16 and 18-25.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because:

1) Applicant argues in essence with respect to the Claim 1 and similar claims including Claim 22 that neither Binsted nor Sprotbery teach or suggest a flatbed scanner as required by claim 1.

In response, the Examiner asserts that the cited references teach a flatbed scanner as claimed because the specification FAILED to identify the CRITICALITY of the "flatbed scanner" and to define the term "flatbed scanner". The specification merely mentions "a flatbed scanner." Therefore, Examiner interprets "a flatbed scanner" as a regular scanner. Moreover, most scanners are flatbed.

Binsted teaches a camera which acts as an image pickup device (Binsted the Abstract and Figures 1-2) wherein the camera performs the function of a scanner for scanning an image. Moreover, in Binsted's apparatus, the camera and the projector are disposed in a single container for providing scanned data to the projection system (Binsted column 2-6). Moreover, the camera can take images from the flatbed surfaces and therefore the camera performs the function of a flatbed scanner.

Sprotbery teaches a scanner and a projector disposed in a single portable container (Sprotbery Figures 1-2 and column 4). Therefore, Binsted OR Sprotbery teaches the claim limitation of a flatbed scanner within the single container for providing scanned data to the projection system. Applicant's argument that a raster scanner is not the same thing as a flatbed scanner is NOT found persuasive since most scanners are flatbed or scan images from the flatbed surface.

Thus, it would have been obvious to one having the ordinary skill in the art at the time of the invention was made to have incorporated the flatbed scanner of Binsted or Sprotbery into the network projector of Yasukawa because such construction would provide means for scanning images to be input into the projection system of Yasukawa and providing the scanned data for the image processor within the projection system of Yasukawa (Binsted column 2-6; OR Sprotbery Figures 1-2 and column 4);

One of the ordinary skilled in the art would have been motivated to do this to facilitate a scanner for scanning images to be input into the projection system and providing scanned data for the image processor through the scanner.

2) On page 10 of Remarks, Applicant argues that "the Examiner asserts that claim 8 does not require the scanner and the projection system to be disposed within the single APPARATUS. (Current Office Action, page 13)". However, Applicant has apparently modified what has been shown in the page 13 of the Office Action for the argument's sake. On page 13 of the Office Action, the Examiner asserts that "The claim 8 recites an optical scanner disposed within the single apparatus that does not necessarily mean that the scanner and the projection system be disposed within a single CONTAINER". Applicant has thus replaced the term "CONTAINER" with the term "APPARATUS" for the argument's sake. The argument has not merit because it is irrelevant to the rejection set forth in the Final Rejection.

Lin discloses acquiring presentation data from a scanner disposed within a single apparatus (Lin column 3, lines 35-67; column 4, lines 1-31; column 7, lines 46-67; column 8, lines 1-32) and Pekelman discloses an optical scanner (Pekelman column 12, lines 54-67). Both references disclose scanning images to be processed by the image processor (Pekelman column 6, lines 59-67; Lin column 8, lines 10-32).

Thus, it would have been obvious to one having the ordinary skill in the art at the time of the invention was made to have incorporated the scanner of Lin OR Pekelman into the network projector of Yasukawa because such construction would provide means for acquiring presentation data from a scanner in a single apparatus and providing the scanned data for the image processor within the projection system (Pekelman column 6, lines 59-67; Lin column 8, lines 10-32). One of the ordinary skilled in the art would have been motivated to do this to facilitate scanner for scanning images and providing scanned data for the image processor through the scanner.



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